

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.3409 OF 2004

Siddiqui Jawad Ahmed	
Hammad Ahmed & Ors.	.. Applicants.
Vs.	
State of Maharashtra	.. Respondent.

Mr.A.P.Mundargi for the applicants.
Mr.V.B.Konde-Deshmukh APP for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 23RD AUGUST, 2004

P.C.:

. Heard Mr.Mundargi, learned counsel for the applicants and Mr.Konde-Deshmukh, learned A.P.P. for the respondent.

2. This application under section 438 of Criminal Procedure Code is filed in C.R.No.30/2000 registered by GBCB CID, (E.O.W.) Mumbai under sections 420, 406 and 120-B read with 34 of Indian Penal Code and sections 3 and 4 of M.P.I.D. Act, 1999. In all 13 crimes seem to have been registered against the applicants at various places. Admittedly, all the properties of the applicants and their firms/companies have been seized. Some properties are in possession of the

liquidator. It is the prosecution case that the applicants have cheated large number of investors to the tune of Rs.1,49,96,000/-. Mr.Konde-Deshmukh, learned A.P.P., on instructions, fairly stated that the investigation is complete. The applicants were interrogated when they were in custody in other cases. All immovable properties of the applicants and their company have been seized. Keeping that in view and considering the overall facts and circumstances of the case, in my opinion, the custodial interrogation of the applicants would not be necessary.

. The applicants are directed to be enlarged on bail, in the event of their arrest, in C.R.No.30/2000 registered by GBCB CID (E.O.W.) Mumbai on their furnishing a personal bond of Rs.35,000/- each with one or two sureties of the like amount subject to the condition that they shall report the investigating officer every Saturday between 6 pm and 8 pm for a period of four months and thereafter on the first Saturday of every month between 6 pm and 7 pm until the conclusion of their trial. Liberty to apply for relaxation of the condition after six months.

. While passing this order, I shall not be understood to have expressed any opinion on merits of the case. The trial court will deal with the case uninfluenced by the observations made in this order.

. The application is disposed of.

(D.B.Bhosale, J.)